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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

2006 SEP 28 P 2: 26

AZ CORP COMMISSION
DOCUMENT CONTROL

Arizona Corporation Commission

DOCKETED

SEP 28 2006

DOCKETED BY

[Signature]

IN THE MATTER OF THE APPLICATION OF
THE CITY OF SURPRISE TO UPGRADE AN
EXISTING CROSSING OF THE BURLINGTON
NORTHERN AND SANTA FE RAILWAY AT
BELL ROAD AND GRAND AVENUE, IN THE
CITY OF SURPRISE, MARICOPA COUNTY,
ARIZONA, AT AAR/DOT NO. 025-392-A.

DOCKET NO. RR-02635B-05-0283

PROCEDURAL ORDER

BY THE COMMISSION:

On July 18, 2005, the Commission issued Decision No. 67975 which approved an application of the Burlington Northern and Santa Fe Railway Company ("Railroad") to upgrade an existing crossing at the Railroad's tracks at Bell Road and Grand Avenue in the City of Surprise ("City"), Arizona, at AAR/DOT No. 025-392-A. Pursuant to Decision No. 67975, the upgrade was to be completed within 15 months of the effective date of the Decision, or October 18, 2006.

On September 26, 2006, the Railroad filed a request for an extension of eighteen months, until March 18, 2008, to complete the upgrade because the City did not retain a contractor until approximately August, 2006.

Accordingly, the Commission's Railroad Safety Section should file a response.

IT IS THEREFORE ORDERED that the Railroad Safety Section shall file a response to the Burlington, Northern and Santa Fe Railway Company's request for an extension no later than October 10, 2006.

DATED this 28th day of September, 2006

[Signature]
MARC E. STERN
ADMINISTRATIVE LAW JUDGE

1 Copies of the foregoing mailed/delivered
2 this 28 day of September, 2006 to:

3 John Syers
4 Railroad Engineering Coordinator
5 Arizona Department of Transportation
6 205 S. 17th Avenue, Mail Drop 618E
7 Phoenix, AZ 85007

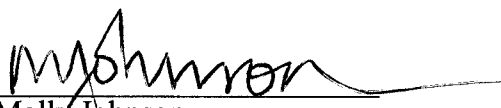
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By: 
Molly Johnson
Secretary to Marc Stern